REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this amendment claims 1-3 and 5-8 will be pending, wherein claim 4 has been canceled. Entry of the cancellation of claim 4 is appropriate in the period after a final rejection because the cancellation of this claim does not raise new issues that would require further search and/or consideration.

Claims 1-3 and 5 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of U.S. Patent No. 6,313,886 to Sugiyama ("Sugiyama") and U.S. Patent No. 6,483,547 to Eyer ("Eyer"). This ground of rejection is respectfully traversed.

The combination of Sugiyama and Eyer does not render Applicants' claim 1 obvious because the combination does not disclose or suggest all of the elements of claim 1 and one of ordinary skill in the art would not have been motivated to combine Sugiyama and Eyer in the manner described in the Office Action.

As discussed in the Applicants' previous Reply, the combination does not disclose or suggest that the control unit, when trying to select a channel based on a channel upward/downward changing instruction uses "a first technique, by which when there is no channel information in the memory, the frequency is

shifted to search for a desired physical channel to thereby select a channel contained in a detected physical channel and also store information of the channel in the channel map," as recited in claim 1.

The Office Action acknowledges that Sugyiyama does not disclose performing the first technique when trying to select a channel based on a channel changing instruction, but instead relies upon Eyer for such a disclosure.

Specifically, the Office Action relies upon the of a learning algorithm, discussed in column 7, lines 23-27 and 34-38 of Eyer, where the receiver steps through each television frequency band to note values of transport stream identifiers (TSIDs). Unlike the first technique recited in Applicants' claim 1 which is performed *when trying to select a channel based on a channel upward/downward changing instruction*, the learning algorithm of Eyer is entered "when a user selects an associated function from an on-screen menu or remote control key input" or when the television is turned off. (Col. 7, lines 28-32). Accordingly, even if it were assumed that this learning algorithm of Eyer corresponded to the first technique of Applicants' claim 1, there is still no disclosure of suggestion in Eyer of performing such *when trying to select a channel*, much less when such a channel selection is performed *based on a channel upward/downward changing instruction.*

Additionally, Eyer does not disclose or suggest that this learning algorithm is performed "when there is no channel information in the memory",

but instead it is used for determining the "relationship between TSIDs and frequencies" such that navigation is "not based on frequencies that might be communicated via a virtual channel table." (Col. 7, lines 34-38).

Applicants' previous Reply has presented similar arguments to those above highlighting these deficiencies of the combination of Sugyiyama and Eyer, and the final Office Action has not any response to these arguments or further support for the rejection. Therefore, if this ground of rejection is maintained, Applicants respectfully request that the next communication from the Patent Office provide a response to these arguments so that Applicants have a better understanding of the support for this ground of rejection.

Applicants also previously pointed out that one of ordinary skill the art would not have been motivated to combine Sugiyama and Eyer in the manner proposed by the Office Action because the long time it would take to tune to the desired channel would frustrate a user. The Office Action's response to this argument is that "once mapping is complete, the channel navigation can operated based on the found TSIDs instead of the frequencies." This, however, would still result in a user having to wait for the entire mapping process to complete *for selection of a single channel.* This frustration is likely the reason why Eyer does not disclose or suggest performing this time consuming process *when trying to select a channel,* but instead provides for the user to *specifically select this function* or to perform it *when the television is turned off.*

Because the combination of Sugiyama and Eyer does not disclose or suggest all of the elements of Applicants' claim 1 and because one of ordinary skill in the art would not have been motivated to combine Sugiyama and Eyer in the manner described in the Office Action, the combination of Sugiyama and Eyer cannot render claim 1 obvious.

Claim 5 is patentably distinguishable over the combination of Sugiyama and Eyer at least by virtue of its dependency from independent claim 1.

Claims 2 and 3 recite similar elements to those discussed above with regard to claim 1, and accordingly, is patentably distinguishable over the combination of Sugiyama and Eyer for similar reasons to those discussed above with regard to claim 1.

For at least those reasons stated above, it is respectfully requested that the rejection of claims 1-3 and 5 be withdrawn.

Claims 4 and 6-8 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of Sugiyama and U.S. Patent No. 6,490,001 to Shintani et al. ("Shintani"). This ground of rejection is respectfully traversed.

Claim 4 has been canceled thereby rendering the rejection of this claim moot.

As discussed in Applicants previous Reply, the combination of Sugiyama

and Shintani does not disclose or suggest selecting a channel selectively using any one of the number of procedures recited in Applicants' claims 6 and 7. The final Office Action has not specifically addressed this argument, but instead continues to cite column 11, lines 55-60 of Shintani as disclosing this element of Applicants' claims 6 and 7.

This section of Shintani discusses steps 108 and 109 in which control section 31 fetches a marker bit from channel map memory section 332 and making a determination of "whether the marker bit designates digital TV broadcasting." This section, however, does not disclose or suggest any of the four procedures recited in claim 6 or the procedures recited in claim 7.

Because the final Office Action has not addressed these arguments, if this ground of rejection is maintained, Applicants respectfully request that the next communication from the Patent Office provide a response to these arguments so that Applicants have a better understanding of the support for this ground of rejection

Because Sugiyama and Shintani each do not disclose or suggest the specific procedures recited in claims 6 and 7, the combination cannot render these claim obvious.

Claim 8 is patentably distinguishable over the combination of Sugiyama and Shintani at least by virtue of its dependency from claim 6.

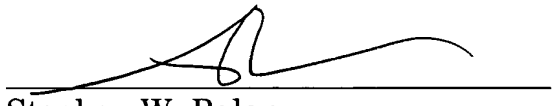
For at least those reasons set forth above, it is respectfully requested that the rejection of claims 4 and 6-8 be withdrawn.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010482.50895).

Respectfully submitted,

September 29, 2006



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